

Calendar No. 94

108TH CONGRESS
1ST SESSION

S. 1048

To authorize appropriations for fiscal year 2004 for military construction,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 13, 2003

Mr. WARNER, from the Committee on Armed Services, reported the following
original bill; which was read twice and placed on the calendar

A BILL

To authorize appropriations for fiscal year 2004 for military
construction, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Construction
5 Authorization Act for Fiscal Year 2004”.

1 SEC. 2. TABLE OF CONTENTS.

2 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Congressional defense committees defined.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

TITLE XXI—ARMY

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Improvements to military family housing units.
- Sec. 2104. Authorization of appropriations, Army.
- Sec. 2105. Termination of authority to carry out certain fiscal year 2003 projects.
- Sec. 2106. Modification of authority to carry out certain fiscal year 2003 projects.
- Sec. 2107. Modification of authority to carry out certain fiscal year 2002 project.
- Sec. 2108. Modification of authority to carry out certain fiscal year 2001 project.

TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Termination of authority to carry out certain fiscal year 2003 project.

TITLE XXIII—AIR FORCE

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Modification of fiscal year 2003 authority relating to improvement of military family housing units.

TITLE XXIV—DEFENSE AGENCIES

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Family housing.
- Sec. 2403. Improvements to military family housing units.
- Sec. 2404. Energy conservation projects.
- Sec. 2405. Authorization of appropriations, Defense Agencies.
- Sec. 2406. Modification of authority to carry out certain fiscal year 2003 project.
- Sec. 2407. Modification of authority to carry out certain fiscal year 2003 projects.

**TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION
SECURITY INVESTMENT PROGRAM**

- Sec. 2501. Authorized NATO construction and land acquisition projects.
Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized guard and reserve construction and land acquisition projects.

**TITLE XXVII—EXPIRATION AND EXTENSION OF
AUTHORIZATIONS**

- Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
Sec. 2702. Extension of authorizations of certain fiscal year 2001 projects.
Sec. 2703. Extension of authorizations of certain fiscal year 2000 projects.
Sec. 2704. Effective date.

TITLE XXVIII—GENERAL PROVISIONS

**Subtitle A—Military Construction Program and Military
Family Housing Changes**

- Sec. 2801. Modification of general definitions relating to military construction.
Sec. 2802. Increase in number of family housing units in Italy authorized for lease by the Navy.

Subtitle B—Real Property and Facilities Administration

- Sec. 2811. Increase in threshold for reports to Congress on real property transactions.
Sec. 2812. Acceptance of in-kind consideration for easements.
Sec. 2813. Expansion to military unaccompanied housing of authority to transfer property at military installations to be closed in exchange for military housing.
Sec. 2814. Exemption from screening and use requirements under McKinney-Vento Homeless Assistance Act of Department of Defense property in emergency support of homeland security.

Subtitle C—Land Conveyances

- Sec. 2821. Transfer of land at Fort Campbell, Kentucky and Tennessee.
Sec. 2822. Land conveyance, Fort Knox, Kentucky.
Sec. 2823. Land conveyance, Marine Corps Logistics Base, Albany, Georgia.
Sec. 2824. Land conveyance, Air Force and Army Exchange Service property, Dallas, Texas.

Subtitle D—Review of Overseas Military Facility Structure

- Sec. 2841. Short title.
Sec. 2842. Establishment of commission.
Sec. 2843. Duties of commission.
Sec. 2844. Powers of commission.
Sec. 2845. Commission personnel matters.
Sec. 2846. Security.

Sec. 2847. Termination of commission.

Sec. 2848. Funding.

1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

2 For purposes of this Act, the term “congressional de-
3 fense committees” means—

4 (1) the Committee on Armed Services and the
5 Committee on Appropriations of the Senate; and

6 (2) the Committee on Armed Services and the
7 Committee on Appropriations of the House of Rep-
8 resentatives.

9 **DIVISION B—MILITARY CON-**
10 **STRUCTION AUTHORIZA-**
11 **TIONS**

12 **TITLE XXI—ARMY**

13 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
14 **ACQUISITION PROJECTS.**

15 (a) **INSIDE THE UNITED STATES.**—Using amounts
16 appropriated pursuant to the authorization of appropria-
17 tions in section 2104(a)(1), the Secretary of the Army
18 may acquire real property and carry out military construc-
19 tion projects for the installations and locations inside the
20 United States, and in the amounts, set forth in the fol-
21 lowing table:

Army: Inside the United States

State	Installation or location	Amount
Alabama	Redstone Arsenal	\$5,500,000
	Fort Richardson	\$10,700,000
Alaska	Fort Wainwright	\$138,800,000
Georgia	Fort Benning	\$30,000,000

Army: Inside the United States—Continued

State	Installation or location	Amount
	Fort Stewart/Hunter Army Air Field	\$138,550,000
	Fort Gordon	\$4,350,000
Hawaii	Helemano Military Reservation ...	\$20,800,000
	Schofield Barracks	\$100,000,000
Kansas	Fort Leavenworth	\$115,000,000
	Fort Riley	\$40,000,000
Kentucky	Fort Knox	\$13,500,000
Louisiana	Fort Polk	\$72,000,000
Maryland	Aberdeen Proving Ground	\$13,000,000
	Fort Meade	\$9,600,000
New York	Fort Drum	\$125,500,000
North Carolina	Fort Bragg	\$152,000,000
Oklahoma	Fort Sill	\$3,500,000
Texas	Fort Hood	\$49,800,000
Virginia	Fort Myer	\$9,000,000
Washington	Fort Lewis	\$3,900,000
	Total	\$1,055,500,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or location	Amount
Italy	Aviano Air Base	\$15,500,000
	Livorno	\$22,000,000
Korea	Camp Humphreys	\$105,000,000
Kwajalein Atoll	Kwajalein Atoll	\$9,400,000
	Total	\$151,900,000

(c) UNSPECIFIED WORLDWIDE.—(1) Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(3) and amounts, not to exceed \$150,000,000, provided under Public Law 107–38 (115 Stat. 220), the Secretary of the Army may acquire per-

sonal services and real property, and may provide for the operation and construction of critical infrastructure and allied systems to ensure essential governmental functions for the installation or location, and in the amount, set forth in the following table:

Army: Unspecified Worldwide

Location	Installation	Amount
Worldwide Unspecified	Unspecified Worldwide	\$663,900,000
	Total	\$663,900,000

(2) Military construction projects, including those funded in whole or in part using amounts made available under Public Law 107–38, containing national security classified information and carried out for the purpose of preventing, responding to, or countering the effects of, terrorist attacks shall comply, to the extent practical, with applicable Federal, State, and local laws and other orders regarding regulatory compliance, consultation, coordination and inspection, except that in carrying out such a project—

(A) no such compliance, consultation, coordination, or inspection may expose, endanger, or otherwise compromise national security; and

(B) any anticipated exception to such compliance, consultation, coordination or inspection shall be addressed in project documentation submitted to Congress under paragraph (3).

(3) When applicable, project documentation submitted to the congressional defense committees with respect to a military construction project described in paragraph (2) shall satisfy the requirements of section 1001 of Public Law 107–117 (115 Stat. 2326) and address any exception to compliance, consultation, coordination, or inspection anticipated under subparagraph (A) of paragraph (2).

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations, for the purposes, and in the amounts set forth in the following table:

Army: Family Housing

State	Installation or location	Purpose	Amount
Alaska	Fort Wainwright	140 Units	\$64,000,000
Arizona	Fort Huachuca	220 Units	\$41,000,000
Kansas	Fort Riley	72 Units	\$16,700,000
Kentucky	Fort Knox	178 Units	\$41,000,000
New Mexico	White Sands Missile Range	58 Units	\$14,600,000
Oklahoma	Fort Sill	120 Units	\$25,373,000
Virginia	Fort Lee	90 Units	\$18,000,000
		Total: ...	\$220,673,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may carry out architectural and engineering services and con-

1 construction design activities with respect to the construction
2 or improvement of family housing units in an amount not
3 to exceed \$34,488,000.

4 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
5 **UNITS.**

6 Subject to section 2825 of title 10, United States
7 Code, and using amounts appropriated pursuant to the
8 authorization of appropriations in section 2104(a)(6)(A),
9 the Secretary of the Army may improve existing military
10 family housing units in an amount not to exceed
11 \$156,030,000.

12 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

13 (a) IN GENERAL.—Funds are hereby authorized to
14 be appropriated for fiscal years beginning after September
15 30, 2003, for military construction, land acquisition, and
16 military family housing functions of the Department of the
17 Army in the total amount of \$2,980,454,000, as follows:

18 (1) For military construction projects inside the
19 United States authorized by section 2101(a),
20 \$843,500,000.

21 (2) For military construction projects outside
22 the United States authorized by section 2101(b),
23 \$151,900,000.

1 (3) For military construction projects at un-
2 specified worldwide locations authorized by section
3 2101(c), \$178,700,000.

4 (4) For unspecified minor construction projects
5 authorized by section 2805 of title 10, United States
6 Code, \$20,000,000.

7 (5) For architectural and engineering services
8 and construction design under section 2807 of title
9 10, United States Code, \$122,710,000.

10 (6) For military family housing functions:

11 (A) For construction and acquisition, plan-
12 ning and design, and improvement of military
13 family housing and facilities, \$409,191,000.

14 (B) For support of military family housing
15 (including the functions described in section
16 2833 of title 10, United States Code),
17 \$1,031,853,000.

18 (7) For the construction of phase 3 of Saddle
19 Access Road, Pohakoula Training Facility, Hawaii,
20 authorized by section 2101(a) of the Military Con-
21 struction Authorization Act for Fiscal Year 2001
22 (division B of the Floyd D. Spence National Defense
23 Authorization Act for Fiscal Year 2001 (as enacted
24 into law by Public Law 106–398; 114 Stat. 1654A–

1 389)), as amended by section 2107 of this Act,
2 \$17,000,000.

3 (8) For the construction of phase 3 of a bar-
4 racks complex, D Street, at Fort Richardson, Alas-
5 ka, authorized by section 2101(a) of the Military
6 Construction Authorization Act for Fiscal Year 2002
7 (division B of Public Law 107–107; 115 Stat.
8 1280), as amended by section 2107 of this Act,
9 \$33,000,000.

10 (9) For the construction of phase 3 of a bar-
11 racks complex, 17th and B Streets, at Fort Lewis,
12 Washington, authorized by section 2101(a) of the
13 Military Construction Authorization Act for Fiscal
14 Year 2002 (division B of Public Law 107–107; 115
15 Stat. 1280), \$48,000,000.

16 (10) For the construction of phase 2 of a bar-
17 racks complex, Capron Road, at Schofield Barracks,
18 Hawaii, authorized by section 2101(a) of the Mili-
19 tary Construction Authorization Act for Fiscal Year
20 2003 (division B of Public Law 107–314; 116 Stat.
21 2681), \$49,000,000.

22 (11) For the construction of phase 2 of a com-
23 bined arms collective training facility at Fort Riley,
24 Kansas, authorized by section 2101(a) of the Mili-
25 tary Construction Authorization Act for Fiscal Year

1 2003 (division B of Public Law 107–314; 116 Stat.
2 2681), \$13,600,000.

3 (12) For the construction of phase 2 of a bar-
4 racks complex, Range Road, at Fort Campbell, Ken-
5 tucky, authorized by section 2101(a) of the Military
6 Construction Authorization Act for Fiscal Year 2003
7 (division B of Public Law 107–314; 116 Stat.
8 2681), \$49,000,000.

9 (13) For the construction of phase 2 of a main-
10 tenance complex at Fort Sill, Oklahoma, authorized
11 by section 2101(a) of the Military Construction Au-
12 thorization Act for Fiscal year 2003 (division B of
13 Public Law 107–314; 116 Stat. 2681) \$13,000,000.

14 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
15 PROJECTS.—Notwithstanding the cost variations author-
16 ized by section 2853 of title 10, United States Code, and
17 any other cost variation authorized by law, the total cost
18 of all projects carried out under section 2101 of this Act
19 may not exceed the sum of—

20 (1) the total amount authorized to be appro-
21 priated under paragraphs (1), (2), and (3) of sub-
22 section (a);

23 (2) \$32,000,000 (the balance of the amount au-
24 thorized under section 2101(a) for construction of a
25 barracks, Fort Stewart, Georgia);

1 (3) \$87,000,000 (the balance of the amount au-
 2 thorized under section 2101(a) for construction of a
 3 Lewis and Clark instructional facility, Fort Leaven-
 4 worth, Kansas);

5 (4) \$43,000,000 (the balance of the amount au-
 6 thorized under section 2101(a) for the construction
 7 of a barracks complex, Wheeler-Sack Army Airfield,
 8 Fort Drum, New York); and

9 (5) \$50,000,000 (the balance of the amount au-
 10 thorized under section 2101(a) for construction of a
 11 barracks complex, Bastogne Drive, Fort Bragg,
 12 North Carolina).

13 **SEC. 2105. TERMINATION OF AUTHORITY TO CARRY OUT**
 14 **CERTAIN FISCAL YEAR 2003 PROJECTS.**

15 (a) **MILITARY CONSTRUCTION PROJECTS OUTSIDE**
 16 **THE UNITED STATES.**—The table in section 2101(b) of
 17 the Military Construction Authorization Act for Fiscal
 18 Year 2003 (division B of Public Law 107–314; 116 Stat.
 19 2682) is amended—

20 (1) by striking the item relating to Area Sup-
 21 port Group, Bamberg, Germany;

22 (2) by striking the item relating to Coleman
 23 Barracks, Germany;

24 (3) by striking the item relating to Darmstadt,
 25 Germany;

1 (4) by striking the item relating to Mannheim,
2 Germany;

3 (5) by striking the item relating to Schweinfurt,
4 Germany; and

5 (6) by striking the amount identified as the
6 total in the amount column and inserting
7 “\$288,066,000”.

8 (b) FAMILY HOUSING OUTSIDE THE UNITED
9 STATES.—The table in section 2102(a) of that Act (116
10 Stat. 2683) is amended—

11 (1) by striking the item relating to Yongsan,
12 Korea; and

13 (2) by striking the amount identified as the
14 total in the amount column and inserting
15 “\$23,852,000”.

16 (c) IMPROVEMENTS TO MILITARY FAMILY HOUSING
17 UNITS.—Section 2103 of that Act (116 Stat. 2683) is
18 amended by striking “\$239,751,000” and inserting
19 “\$190,551,000”.

20 (d) CONFORMING AMENDMENTS.—Section 2104(a)
21 of that Act (116 Stat. 2683) is amended—

22 (1) in the matter preceding paragraph (1), by
23 striking “\$3,104,176,000” and inserting
24 “\$2,985,826,000”;

1 (2) in paragraph (2), by striking
 2 “\$354,116,000” and inserting “\$288,066,000”; and
 3 (3) in paragraph (6)(A), by striking
 4 “\$282,356,000” and inserting “\$230,056,000”.

5 **SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT**
 6 **CERTAIN FISCAL YEAR 2003 PROJECTS.**

7 (a) MILITARY CONSTRUCTION INSIDE THE UNITED
 8 STATES.—The table in section 2101(a) of the Military
 9 Construction Authorization Act for Fiscal Year 2003 (di-
 10 vision B of Public Law 107–314; 116 Stat. 2681) is
 11 amended—

12 (1) in the item relating to Fort Riley, Kansas,
 13 by striking “\$81,095,000” in the amount column
 14 and inserting “\$81,495,000”; and

15 (2) by striking the amount identified as the
 16 total in the amount column and inserting
 17 “\$1,156,167,000”.

18 (b) MILITARY CONSTRUCTION OUTSIDE THE UNITED
 19 STATES.—The table in section 2101(b) of that Act (116
 20 Stat. 2682) is amended—

21 (1) by striking the item relating to Camp Cas-
 22 tle, Korea;

23 (2) by striking the item relating to Camp
 24 Hovey, Korea;

1 (3) in the item relating to Camp Humphreys,
 2 Korea, by striking “\$36,000,000” in the amount col-
 3 umn and inserting “\$107,800,000” ; and

4 (4) by striking the item relating to K16 Air-
 5 field, Korea.

6 (c) CONFORMING AMENDMENT.—Section 2104(b)(4)
 7 of that Act (116 Stat. 2684) is amended by striking
 8 “\$13,200,000” and inserting “\$13,600,000”.

9 **SEC. 2107. MODIFICATION OF AUTHORITY TO CARRY OUT**
 10 **CERTAIN FISCAL YEAR 2002 PROJECT.**

11 (a) MODIFICATION.—The table in section 2101(a) of
 12 the Military Construction Authorization Act for Fiscal
 13 Year 2002 (division B of Public Law 107-107; 115 Stat.
 14 1281), as amended by section 2105 of the Military Con-
 15 struction Authorization Act for Fiscal Year 2003 (division
 16 B of Public Law 107-314; 116 Stat. 2689), is further
 17 amended—

18 (1) in the item relating to Fort Richardson,
 19 Alaska, by striking “\$115,000,000” in the amount
 20 column and inserting “\$117,000,000”; and

21 (2) by striking the amount identified as the
 22 total in the amount column and inserting
 23 “\$1,364,750,000”.

1 (b) CONFORMING AMENDMENT.—Section 2104(b)(2)
 2 of that Act (115 Stat. 1284) is amended by striking
 3 “\$52,000,000” and inserting “\$54,000,000”.

4 **SEC. 2108. MODIFICATION OF AUTHORITY TO CARRY OUT**
 5 **CERTAIN FISCAL YEAR 2001 PROJECT.**

6 (a) IN GENERAL.—The table in section 2101(a) of
 7 the Military Construction Authorization Act for Fiscal
 8 Year 2001 (division B of the Floyd D. Spence National
 9 Defense Authorization Act for Fiscal Year 2001 (as en-
 10 acted into law by Public Law 106–398; 114 Stat. 1654A–
 11 389)), as amended by section 2105 of the Military Con-
 12 struction Authorization Act for Fiscal Year 2002 (division
 13 B of Public Law 107–107; 115 Stat. 1285), is further
 14 amended—

15 (1) in the item relating to Pohakoula Training
 16 Facility, Hawaii, by striking “\$32,000,000” in the
 17 amount column and inserting “\$42,000,000”; and

18 (2) by striking the amount identified as the
 19 total in the amount column and inserting
 20 “\$636,374,000”.

21 (b) CONFORMING AMENDMENT.—Section 2104(b)(7)
 22 of the Military Construction Authorization Act for Fiscal
 23 Year 2001 (114 Stat. 1654A–392) is amended by striking
 24 “\$20,000,000” and inserting “\$30,000,000”.

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma	\$22,230,000
California	Marine Corps Base, Camp Pendleton	\$73,580,000
	Naval Air Station, Lemoore	\$34,510,000
	Marine Corps Air Station, Miramar	\$4,740,000
	Naval Air Station, North Island	\$49,240,000
	Naval Air Warfare Center, China Lake	\$12,890,000
	Naval Air Warfare Center, Point Mugu, San Nicholas Island	\$9,150,000
	Naval Air Facility, San Clemente Island	\$18,940,000
	Naval Postgraduate School, Monterey ...	\$35,550,000
	Naval Station, San Diego	\$42,710,000
	Marine Air Ground Task Force Training Center, Twentynine Palms	\$28,390,000
Connecticut	New London	\$3,000,000
District of Columbia	Marine Corps Barracks	\$1,550,000
Florida	Naval Air Station, Jacksonville	\$3,190,000
	Naval Air Station, Whiting Field, Milton	\$4,830,000
	Naval Surface Warfare Center, Coastal Systems Station, Panama City	\$9,550,000
	Blount Island (Jacksonville)	\$115,711,000
Georgia	Strategic Weapons Facility Atlantic, Kings Bay	\$11,510,000
Hawaii	Fleet and Industrial Supply Center, Pearl Harbor	\$32,180,000
	Naval Magazine, Lualualei	\$6,320,000
	Naval Shipyard, Pearl Harbor	\$7,010,000
Illinois	Naval Training Center, Great Lakes	\$137,120,000
Maryland	Naval Air Warfare Center, Patuxent River	\$24,370,000
	Naval Surface Warfare Center, Indian Head	\$14,850,000
Mississippi	Naval Air Station, Meridian	\$4,570,000
Nevada	Naval Air Station, Fallon	\$4,700,000
New Jersey	Naval Air Warfare Center, Lakehurst ...	\$20,681,000
	Naval Weapons Station, Earle	\$123,720,000
North Carolina	Marine Corps Air Station, Cherry Point	\$1,270,000
	Marine Corps Air Station, New River	\$6,240,000

Navy: Inside the United States—Continued

State	Installation or location	Amount
Pennsylvania	Marine Corps Base, Camp Lejeune	\$29,450,000
	Philadelphia Foundry	\$10,200,000
Rhode Island	Naval Station, Newport	\$18,690,000
	Naval Undersea Warfare Center, Newport	\$10,890,000
Texas	Naval Station, Ingleside	\$7,070,000
Virginia	Henderson Hall, Arlington	\$1,970,000
	Marine Corps Combat Development Command, Quantico	\$18,120,000
	Naval Amphibious Base, Little Creek	\$3,810,000
	Naval Station, Norfolk	\$182,240,000
	Naval Space Command Center, Dahlgren	\$24,020,000
	Norfolk Naval Shipyard, Portsmouth	\$17,770,000
Washington	Naval Magazine, Indian Island	\$2,240,000
	Naval Submarine Base, Bangor	\$33,820,000
	Strategic Weapons Facility Pacific, Bangor	\$6,530,000
	Various Locations, CONUS	\$56,360,000
Total		\$1,287,482,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or location	Amount
Bahrain	Naval Support Activity, Bahrain	\$18,030,000
Italy	Naval Support Activity, La Madalena	\$39,020,000
	Naval Air Station, Sigonella	\$34,070,000
United Kingdom	Joint Maritime Facility, St. Mawgan	\$7,070,000
Total		\$98,190,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (in-

cluding land acquisition and supporting facilities) at the installations, for the purposes, and in the amounts set forth in the following table:

Navy: Family Housing

State or Country	Installation or location	Purpose	Amount
California	Naval Air Station, Lemoore	187 Units	\$41,585,000
Florida	Naval Air Station, Pensa- cola	25 Units	\$3,197,000
North Carolina	Marine Corps Base, Camp Lejeune	519 Units	\$67,781,000
	Marine Corps Air Station, Cherry Point	339 Units	\$42,803,000
		Total	\$155,366,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriation in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed \$8,381,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed \$20,446,000.

1 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

2 (a) IN GENERAL.—Funds are hereby authorized to
3 be appropriated for fiscal years beginning after September
4 30, 2003, for military construction, land acquisition, and
5 military family housing functions of the Department of the
6 Navy in the total amount of \$2,179,919,000, as follows:

7 (1) For military construction projects inside the
8 United States authorized by section 2201(a),
9 \$959,702,000.

10 (2) For military construction projects outside
11 the United States authorized by section 2201(b),
12 \$98,190,000.

13 (3) For unspecified minor construction projects
14 authorized by section 2805 of title 10, United States
15 Code, \$12,334,000.

16 (4) For architectural and engineering services
17 and construction design under section 2807 of title
18 10, United States Code, \$65,612,000.

19 (5) For military family housing functions:

20 (A) For construction and acquisition, plan-
21 ning and design, and improvement of military
22 family housing and facilities, \$184,193,000.

23 (B) For support of military family housing
24 (including functions described in section 2833
25 of title 10, United States Code), \$813,158,000.

1 (6) For construction of phase 2 of a bachelor
2 enlisted quarters shipboard ashore at Naval Ship-
3 yard Norfolk, Virginia, authorized by section
4 2201(a) of the Military Construction Authorization
5 Act for Fiscal Year 2003 (division B of Public Law
6 107–314; 116 Stat. 2687), \$46,730,000.

7 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
8 PROJECTS.—Notwithstanding the cost variations author-
9 ized by section 2853 of title 10, United States Code, and
10 any other cost variation authorized by law, the total cost
11 of all projects carried out under section 2201 of this Act
12 may not exceed the sum of—

13 (1) the total amount authorized to be appro-
14 priated under paragraphs (1) and (2) of subsection
15 (a);

16 (2) \$25,690,000 (the balance of the amount au-
17 thorized under section 2201(a) for the construction
18 of a tertiary sewage treatment complex, Marine
19 Corps Base, Camp Pendleton, California);

20 (3) \$58,190,000 (the balance of the amount au-
21 thorized under section 2201(a) for the construction
22 of a battle station training facility, Naval Training
23 Center, Great Lakes, Illinois);

24 (4) \$96,980,000 (the balance of the amount au-
25 thorized under section 2201(a) for replacement of a

1 general purpose berthing pier, Naval Weapons Sta-
 2 tion, Earle, New Jersey);

3 (5) \$118,170,000 (the balance of the amount
 4 authorized under section 2201(a) for replacement of
 5 pier 11, Naval Station, Norfolk, Virginia); and

6 (6) \$28,750,000 (the balance of the amount au-
 7 thorized under section 2201(a) for the construction
 8 of an outlying landing field and facilities at a loca-
 9 tion to be determined).

10 **SEC. 2205. TERMINATION OF AUTHORITY TO CARRY OUT**
 11 **CERTAIN FISCAL YEAR 2003 PROJECT.**

12 (a) TERMINATION.—The table in section 2201(b) of
 13 the Military Construction Authorization Act for Fiscal
 14 Year 2003 (division B of Public Law 107–314; 116 Stat.
 15 2687) is amended—

16 (1) by striking the item relating to Naval Air
 17 Station, Keflavik, Iceland; and

18 (2) by striking the amount identified as the
 19 total in the amount column and inserting
 20 “\$135,900,000”.

21 (b) CONFORMING AMENDMENTS.—Section 2204(a)
 22 of that Act (116 Stat. 2688) is amended—

23 (1) in the matter preceding paragraph (1), by
 24 striking “\$2,576,381,000” and inserting
 25 “\$2,561,461,000”; and

(2) in paragraph (2), by striking
 “\$148,250,000” and inserting “\$133,330,000”.

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base	\$13,400,000
Alaska	Eielson Air Force Base	\$48,774,000
	Elmendorf Air Force Base	\$2,000,000
Arizona	Davis-Monthan Air Force Base	\$9,864,000
	Luke Air Force Base	\$14,300,000
Arkansas	Little Rock Air Force Base	\$7,372,000
California	Beale Air Force Base	\$22,300,000
	Edwards Air Force Base	\$19,060,000
	Los Angeles Air Force Base	\$5,000,000
	Vandenberg Air Force Base	\$16,500,000
Colorado	Buckley Air Force Base	\$6,957,000
	Peterson Air Force Base	\$10,200,000
Delaware	Dover Air Force Base	\$8,500,000
District of Columbia	Bolling Air Force Base	\$9,300,000
Florida	Hurlburt Field	\$27,200,000
	Patrick Air Force Base	\$8,800,000
	Tyndall Air Force Base	\$6,195,000
Georgia	Moody Air Force Base	\$7,600,000
	Robins Air Force Base	\$28,685,000
Hawaii	Hickam Air Force Base	\$78,276,000
Idaho	Mountain Home Air Force Base	\$15,137,000
Illinois	Scott Air Force Base	\$1,900,000
Mississippi	Columbus Air Force Base	\$5,500,000
	Keesler Air Force Base	\$2,900,000
Nevada	Nellis Air Force Base	\$11,800,000
New Jersey	McGuire Air Force Base	\$11,627,000
New Mexico	Cannon Air Force Base	\$9,000,000
	Kirtland Air Force Base	\$6,957,000
	Tularosa Radar Test Site	\$3,600,000
North Carolina	Pope Air Force Base	\$24,015,000
	Seymour Johnson Air Force Base ...	\$22,430,000
North Dakota	Minot Air Force Base	\$12,550,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
Ohio	Wright-Patterson Air Force Base	\$10,500,000
Oklahoma	Altus Air Force Base	\$1,144,000
	Tinker Air Force Base	\$25,560,000
	Vance Air Force Base	\$15,000,000
South Carolina	Charleston Air Force Base	\$8,863,000
	Shaw Air Force Base	\$8,500,000
South Dakota	Ellsworth Air Force Base	\$9,300,000
Texas	Goodfellow Air Force Base	\$19,970,000
	Lackland Air Force Base	\$64,926,000
	Randolph Air Force Base	\$13,600,000
	Sheppard Air Force Base	\$28,590,000
Utah	Hill Air Force Base	\$21,711,000
Virginia	Langley Air Force Base	\$24,969,000
Washington	McChord Air Force Base	\$19,000,000
Wyoming	F.E. Warren Air Force Base	\$10,000,000
	Total	\$740,909,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2304(a)(2), the Secretary of the Air Force
4 may acquire real property and carry out military construc-
5 tion projects for the installations and locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Air Force: Outside the United States

Country	Installation or location	Amount
Germany	Ramstein Air Base	\$35,616,000
	Spangdahlem Air Base	\$5,411,000
Italy	Aviano Air Base	\$14,025,000
Korea	Kunsan Air Base	\$7,059,000
	Osan Air Base	\$16,638,000
Portugal	Lajes Field, Azores	\$4,086,000
United Kingdom	Royal Air Force, Lakenheath	\$42,487,000
	Royal Air Force, Mildenhall	\$10,558,000
Wake Island	Wake Island	\$24,000,000
	Total	\$159,880,000

8 (c) UNSPECIFIED WORLDWIDE.—Using amounts ap-
9 propriated pursuant to the authorization of appropriations
10 in section 2304(a)(3), the Secretary of the Air Force may
11 acquire real property and carry out military construction

1 projects for the installation and location, and in the
 2 amount, set forth in the following table:

Air Force: Unspecified Worldwide

Location	Installation or location	Amount
Unspecified Worldwide	Classified Location	\$28,981,000
	Total	\$28,981,000

3 **SEC. 2302. FAMILY HOUSING.**

4 (a) CONSTRUCTION AND ACQUISITION.—Using
 5 amounts appropriated pursuant to the authorization of ap-
 6 propriations in section 2304(a)(6)(A), the Secretary of the
 7 Air Force may construct or acquire family housing units
 8 (including land acquisition and supporting facilities) at the
 9 installations, for the purposes, and in the amounts set
 10 forth in the following table:

Air Force: Family Housing

State or Country	Installation or location	Purpose	Amount
Arizona	Davis-Monthan Air Force Base	93 Units	\$19,357,000
California	Travis Air Force Base	56 Units	\$12,723,000
Delaware	Dover Air Force Base	112 Units	\$19,601,000
Florida	Eglin Air Force Base	279 Units	\$32,166,000
Idaho	Mountain Home Air Force Base	186 Units	\$37,126,000
Maryland	Andrews Air Force Base ...	50 Units	\$20,233,000
Missouri	Whiteman Air Force Base	100 Units	\$18,221,000
Montana	Malmstrom Air Force Base	94 Units	\$19,368,000
North Carolina	Seymour Johnson Air Force Base	138 Units	\$18,336,000
North Dakota	Grand Forks Air Force Base	144 Units	\$29,550,000
	Minot Air Force Base	200 Units	\$41,117,000
South Dakota	Ellsworth Air Force Base	75 Units	\$16,240,000
Texas	Dyess Air Force Base	116 Units	\$19,973,000
	Randolph Air Force Base	96 Units	\$13,754,000
Korea	Osan Air Base	111 Units	\$44,765,000
Portugal	Lajes Field, Azores	42 Units	\$13,428,000
United Kingdom	Royal Air Force, Lakenheath	89 Units	\$23,640,000
	Total		\$399,598,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2304(a)(6)(A), the Secretary of the Air Force may
4 carry out architectural and engineering services and con-
5 struction design activities with respect to the construction
6 or improvement of military family housing units in an
7 amount not to exceed \$33,488,000.

8 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
9 **UNITS.**

10 Subject to section 2825 of title 10, United States
11 Code, and using amounts appropriated pursuant to the
12 authorization of appropriations in section 2304(a)(6)(A),
13 the Secretary of the Air Force may improve existing mili-
14 tary family housing units in an amount not to exceed
15 \$223,979,000.

16 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
17 **FORCE.**

18 (a) IN GENERAL.—Funds are hereby authorized to
19 be appropriated for fiscal years beginning after September
20 30, 2003, for military construction, land acquisition, and
21 military family housing functions of the Department of the
22 Air Force in the total amount of \$2,505,373,000, as fol-
23 lows:

1 (1) For military construction projects inside the
2 United States authorized by section 2301(a),
3 \$760,332,000.

4 (2) For military construction projects outside
5 the United States authorized by section 2301(b),
6 \$159,880,000.

7 (3) For military construction projects at un-
8 specified worldwide locations authorized by section
9 2301(c), \$28,981,000.

10 (4) For unspecified minor construction projects
11 authorized by section 2805 of title 10, United States
12 Code, \$12,000,000.

13 (5) For architectural and engineering services
14 and construction design under section 2807 of title
15 10, United States Code, \$74,345,000.

16 (6) For military housing functions:

17 (A) For construction and acquisition, plan-
18 ning and design, and improvement of military
19 family housing and facilities, \$657,065,000.

20 (B) For support of military family housing
21 (including functions described in section 2833
22 of title 10, United States Code), \$812,770,000.

23 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
24 PROJECTS.—Notwithstanding the cost variations author-
25 ized by section 2853 of title 10, United States Code, and

1 any other cost variation authorized by law, the total cost
 2 of all projects carried out under section 2301 of this Act
 3 may not exceed the total amount authorized to be appro-
 4 priated under paragraphs (1), (2), and (3) of subsection
 5 (a).

6 **SEC. 2305. MODIFICATION OF FISCAL YEAR 2003 AUTHOR-**
 7 **ITY RELATING TO IMPROVEMENT OF MILI-**
 8 **TARY FAMILY HOUSING UNITS.**

9 (a) MODIFICATION.—Section 2303 of the Military
 10 Construction Authorization Act for Fiscal Year 2003 (di-
 11 vision B of Public Law 107–314; 116 Stat. 2693) is
 12 amended by striking “\$226,068,000” and inserting
 13 “\$206,721,000”.

14 (b) CONFORMING AMENDMENTS.—Section 2304(a)
 15 of that Act (116 Stat. 2693) is amended—

16 (1) in the matter preceding paragraph (1), by
 17 striking “\$2,633,738,000” and inserting
 18 “\$2,614,391,000”; and

19 (2) in paragraph (6)(A), by striking
 20 “\$689,824,000” and inserting “\$670,477,000”.

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Defense Education Activity ..	Marine Corps Base, Camp Lejeune, North Carolina	\$15,259,000
Defense Logistics Agency	Defense Distribution Depot, New Cumberland, Pennsylvania	\$27,000,000
	Eglin Air Force Base, Florida	\$4,800,000
	Eielson Air Force Base, Alaska	\$17,000,000
	Hickam Air Force Base, Hawaii	\$14,100,000
	Hurlburt Field, Florida	\$3,500,000
	Langley Air Force Base, Virginia	\$13,000,000
	Laughlin Air Force Base, Texas	\$4,688,000
	McChord Air Force Base, Washington	\$8,100,000
	Nellis Air Force Base, Nevada	\$12,800,000
	Offutt Air Force Base, Nebraska	\$13,400,000
National Security Agency	Fort Meade, Maryland	\$1,842,000
Special Operations Command	Dam Neck, Virginia	\$15,281,000
	Fort Benning, Georgia	\$2,100,000
	Fort Bragg, North Carolina	\$36,300,000
	Fort Campbell, Kentucky	\$7,800,000
	Harrisburg International Airport, Pennsylvania	\$3,000,000
	Hurlburt Field, Florida	\$6,000,000
	Little Creek, Virginia	\$9,000,000
	MacDill Air Force Base, Florida	\$25,500,000
Tri-Care Management Activity	Naval Station, Anacostia, District of Columbia	\$15,714,000
	Naval Submarine Base, New London, Connecticut	\$6,400,000
	United States Air Force Academy, Colorado	\$21,500,000
	Walter Reed Medical Center, District of Columbia	\$9,000,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
Washington Headquarters Services	Arlington, Virginia	\$38,086,000
	Total	\$331,170,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2405(a)(2), the Secretary of Defense may
4 acquire real property and carry out military construction
5 projects for the installations and locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
Defense Education Agency ...	Grafenwoehr, Germany	\$36,247,000
	Heidelberg, Germany	\$3,086,000
	Sigonella, Italy	\$30,234,000
	Vicenza, Italy	\$16,374,000
	Vilseck, Germany	\$1,773,000
Special Operations Command Tri-Care Management Activ- ity	Stuttgart, Germany	\$11,400,000
	Andersen Air Force Base, Guam	\$24,900,000
	Grafenwoehr, Germany	\$12,585,000
	Total	\$136,599,000

8 **SEC. 2402. FAMILY HOUSING.**

9 Using amounts appropriated pursuant to the author-
10 ization of appropriations in section 2405(a)(8)(A), the
11 Secretary of Defense may carry out architectural and en-
12 gineering services and construction design activities with
13 respect to the construction or improvement of military
14 family housing units in an amount not to exceed
15 \$300,000.

1 **SEC. 2403. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
2 **UNITS.**

3 Subject to section 2825 of title 10, United States
4 Code, and using amounts appropriated pursuant to the
5 authorization of appropriations in section 2405(a)(8)(A),
6 the Secretary of Defense may improve existing military
7 family housing units in an amount not to exceed \$50,000.

8 **SEC. 2404. ENERGY CONSERVATION PROJECTS.**

9 Using amounts appropriated pursuant to the author-
10 ization of appropriations in section 2405(a)(6), the Sec-
11 retary of Defense may carry out energy conservation
12 projects under section 2865 of title 10, United States
13 Code, in the amount of \$69,500,000.

14 **SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DE-**
15 **FENSE AGENCIES.**

16 (a) IN GENERAL.—Funds are hereby authorized to
17 be appropriated for fiscal years beginning after September
18 30, 2003, for military construction, land acquisition, and
19 military family housing functions of the Department of
20 Defense (other than the military departments) in the total
21 amount of \$1,154,402,000, as follows:

22 (1) For military construction projects inside the
23 United States authorized by section 2401(a),
24 \$331,170,000.

1 (2) For military construction projects outside
2 the United States authorized by section 2401(b),
3 \$102,703,000.

4 (3) For unspecified minor construction projects
5 under section 2805 of title 10, United States Code,
6 \$16,153,000.

7 (4) For contingency construction projects of the
8 Secretary of Defense under section 2804 of title 10,
9 United States Code, \$8,960,000.

10 (5) For architectural and engineering services
11 and construction design under section 2807 of title
12 10, United States Code, \$59,884,000.

13 (6) For energy conservation projects authorized
14 by section 2404, \$69,500,000.

15 (7) For base closure and realignment activities
16 as authorized by the Defense Base Closure and Re-
17 alignment Act of 1990 (part A of title XXIX of
18 Public Law 101–510; 10 U.S.C. 2687 note),
19 \$370,427,000.

20 (8) For military family housing functions:

21 (A) For planning, design, and improve-
22 ment of military family housing and facilities,
23 \$350,000.

1 (B) For support of military family housing
2 (including functions described in section 2833
3 of title 10, United States Code), \$49,440,000.

4 (C) For credit to the Department of De-
5 fense Family Housing Improvement Fund es-
6 tablished by section 2883(a)(1) of title 10,
7 United States Code, \$300,000.

8 (9) For construction of the Defense Threat Re-
9 duction Center at Fort Belvoir, Virginia, authorized
10 by section 2401(a) of the Military Construction Au-
11 thorization Act for Fiscal Year 2003 (division B of
12 Public Law 107–314; 116 Stat. 2695), \$25,700,000.

13 (10) For construction of phase 5 of an ammu-
14 nition demilitarization facility at Pueblo Chemical
15 Activity, Colorado, authorized by section 2401(a) of
16 the Military Construction Authorization Act for Fis-
17 cal Year 1997 (division B of Public Law 104–201;
18 110 Stat. 2775), as amended by section 2406 of the
19 Military Construction Authorization Act for Fiscal
20 Year 2000 (division B of Public Law 106–65; 113
21 Stat. 839) and section 2407 of the Military Con-
22 struction Authorization Act for Fiscal Year 2003
23 (division B of Public Law 107–314; 116 Stat.
24 2698), \$88,388,000.

1 (11) For construction of phase 6 of an ammu-
2 nition demilitarization facility at Newport Army
3 Depot, Indiana, authorized by section 2401(a) of the
4 Military Construction Authorization Act for Fiscal
5 Year 1999 (division B of Public Law 105–261; 112
6 Stat. 2193), as amended by section 2406 of the Mili-
7 tary Construction Authorization Act for Fiscal Year
8 2002 (division B of Public Law 107-107; 115 Stat.
9 1299) and section 2406 of the Military Construction
10 Authorization Act for Fiscal Year 2003 (division B
11 of Public Law 107–314; 116 Stat. 2698),
12 \$15,207,000.

13 (12) For construction of phase 4 of an ammu-
14 nition demilitarization facility at Blue Grass Army
15 Depot, Kentucky, authorized by section 2401(a) of
16 the Military Construction Authorization Act for Fis-
17 cal Year 2000 (division B of Public Law 106–65;
18 113 Stat. 835), as amended by section 2405 of the
19 Military Construction Authorization Act for Fiscal
20 Year 2002 (division B of Public Law 107–107; 115
21 Stat. 1298) and section 2405 of the Military Con-
22 struction Authorization Act for Fiscal Year 2003
23 (division B of Public Law 107–314; 116 Stat.
24 2698), \$16,220,000.

1 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
 2 PROJECTS.—Notwithstanding the cost variations author-
 3 ized by section 2853 of title 10, United States Code, and
 4 any other cost variation authorized by law, the total cost
 5 of all projects carried out under section 2401 of this Act
 6 may not exceed the sum of—

7 (1) the total amount authorized to be appro-
 8 priated under paragraphs (1), (2), and (3) of sub-
 9 section (a);

10 (2) \$16,265,000 (the balance of the amount au-
 11 thorized under section 2401(b) for the renovation
 12 and construction of an elementary and high school,
 13 Naval Station Sigonella, Italy); and

14 (3) \$17,631,000 (the balance of the amount au-
 15 thorized under section 2401(b) for the construction
 16 of an elementary and middle school, Grafenwoehr,
 17 Germany).

18 **SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT**
 19 **CERTAIN FISCAL YEAR 2003 PROJECT.**

20 The table in section 2401(b) of the Military Con-
 21 struction Authorization Act for Fiscal Year 2003 (division
 22 B of Public Law 107–314; 116 Stat. 2695) is amended
 23 in the matter relating to Department of Defense Depend-
 24 ent Schools by striking “Seoul, Korea” in the installation

1 or location column and inserting “Camp Humphreys,
2 Korea”.

3 **SEC. 2407. MODIFICATION OF AUTHORITY TO CARRY OUT**
4 **CERTAIN FISCAL YEAR 2003 PROJECTS.**

5 (a) MODIFICATION.—The table in section 2401(b) of
6 the Military Construction Authorization Act for Fiscal
7 Year 2003 (division B of Public Law 107–314; 116 Stat.
8 2695) is amended—

9 (1) in the matter relating to Department of De-
10 fense Dependent Schools—

11 (A) by striking “Seoul, Korea” in the in-
12 stallation or location column and inserting
13 “Camp Humphreys, Korea”; and

14 (B) by striking the item relating to
15 Spangdahlem Air Base, Germany; and

16 (2) by striking the amount identified as the
17 total in the amount column and inserting
18 “\$205,586,000”.

19 (b) CONFORMING AMENDMENTS.—Section 2404(a)
20 of that Act (116 Stat. 2696) is amended—

21 (1) in the matter preceding paragraph (1), by
22 striking “\$1,434,795,000” and inserting
23 “\$1,433,798,000”; and

24 (2) in paragraph (2), by striking
25 “\$206,583,000” and inserting “\$205,586,000”.

1 **TITLE XXV—NORTH ATLANTIC**
2 **TREATY ORGANIZATION SE-**
3 **CURITY INVESTMENT PRO-**
4 **GRAM**

5 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
6 **ACQUISITION PROJECTS.**

7 The Secretary of Defense may make contributions for
8 the North Atlantic Treaty Organization Security Invest-
9 ment program as provided in section 2806 of title 10,
10 United States Code, in an amount not to exceed the sum
11 of the amount authorized to be appropriated for this pur-
12 pose in section 2502 and the amount collected from the
13 North Atlantic Treaty Organization as a result of con-
14 struction previously financed by the United States.

15 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

16 Funds are hereby authorized to be appropriated for
17 fiscal years beginning after September 30, 2003, for con-
18 tributions by the Secretary of Defense under section 2806
19 of title 10, United States Code, for the share of the United
20 States of the cost of projects for the North Atlantic Treaty
21 Organization Security Investment program authorized by
22 section 2501, in the amount of \$169,300,000.

**TITLE XXVI—GUARD AND
RESERVE FORCES FACILITIES**

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 2003, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, \$276,779,000; and

(B) for the Army Reserve, \$74,478,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, \$34,132,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, \$208,530,000; and

(B) for the Air Force Reserve, \$53,912,000.

1 **TITLE XXVII—EXPIRATION AND**
 2 **EXTENSION OF AUTHORIZA-**
 3 **TIONS**

4 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**
 5 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
 6 **LAW.**

7 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
 8 YEARS.—Except as provided in subsection (b), all author-
 9 izations contained in titles XXI through XXVI for military
 10 construction projects, land acquisition, family housing
 11 projects and facilities, and contributions to the North At-
 12 lantic Treaty Organization Security Investment program
 13 (and authorizations of appropriations therefor) shall ex-
 14 pire on the later of—

15 (1) October 1, 2006; or

16 (2) the date of the enactment of an Act author-
 17 izing funds for military construction for fiscal year
 18 2007.

19 (b) EXCEPTION.—Subsection (a) shall not apply to
 20 authorizations for military construction projects, land ac-
 21 quisition, family housing projects, and facilities, and con-
 22 tributions to the North Atlantic Treaty Organization Se-
 23 curity Investment program (and authorizations of appro-
 24 priations therefor) for which appropriated funds have been
 25 obligated before the later of—

1 (1) October 1, 2006; or

2 (2) the date of the enactment of an Act author-
 3 izing funds for fiscal year 2007 for military con-
 4 struction projects, land acquisition, family housing
 5 projects and facilities, and contributions to the
 6 North Atlantic Treaty Organization Security Invest-
 7 ment program.

8 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 9 **FISCAL YEAR 2001 PROJECTS.**

10 (a) EXTENSION OF CERTAIN PROJECTS.—Notwith-
 11 standing section 2701 of the Floyd D. Spence National
 12 Defense Authorization Act for Fiscal Year 2001 (as en-
 13 acted into law by Public Law 106–398; 114 Stat. 1654A–
 14 407), authorizations set forth in the tables in subsection
 15 (b), as provided in section 2102, 2201, 2401, or 2601 of
 16 that Act, shall remain in effect until October 1, 2004, or
 17 the date of the enactment of an Act authorizing funds for
 18 military construction for fiscal year 2005, whichever is
 19 later.

20 (b) TABLES.—The tables referred to in subsection (a)
 21 are as follows:

Army: Extension of 2001 Project Authorization

State	Installation or loca- tion	Project	Amount
South Carolina	Fort Jackson	New Construc- tion—Family Housing (1 Unit)	\$250,000

Navy: Extension of 2001 Project Authorization

State	Installation or location	Project	Amount
Pennsylvania	Naval Surface Warfare Center Shipyard Systems Engineering Station, Philadelphia	Gas Turbine Test Facility	\$10,680,000

Defense Agencies: Extension of 2001 Project Authorizations

State or country	Installation or location	Project	Amount
Defense Education Activity	Seoul, Korea	Elementary School Full Day Kindergarten Classroom Addition	\$2,317,000
	Taegu, Korea	Elementary/High School Full Day Kindergarten Classroom Addition	\$762,000

Army National Guard: Extension of 2001 Project Authorizations

State	Installation or location	Project	Amount
Arizona	Papago Park	Add/Alter Readiness Center	\$2,265,000
Pennsylvania	Mansfield	Readiness Center	\$3,100,000

1 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
2 **FISCAL YEAR 2000 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2701 of
4 the Military Construction Authorization Act for Fiscal
5 Year 2000 (division B of Public Law 106–65; 113 Stat.
6 841), authorizations set forth in the tables in subsection
7 (b), as provided in section 2302 or 2601 of that Act and
8 extended by section 2702 of the Military Construction Au-
9 thorization Act for Fiscal Year 2003 (division B of Public
10 Law 107–314; 116 Stat. 2700), shall remain in effect

1 until October 1, 2004, or the date of the enactment of
 2 an Act authorizing funds for military construction for fis-
 3 cal year 2005, whichever is later.

4 (b) TABLES.—The table referred to in subsection (a)
 5 is as follows:

Air Force: Extension of 2000 Project Authorization

State	Installation or loca- tion	Project	Amount
Oklahoma	Tinker Air Force Base	Replace Family Housing (41 Units)	\$6,000,000

Army National Guard: Extension of 2000 Project Authorization

State	Installation or loca- tion	Project	Amount
Virginia	Fort Pickett	Multi-purpose Range-Heavy	\$13,500,000

6 **SEC. 2704. EFFECTIVE DATE.**

7 Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI
 8 of this Act shall take effect on the later of—

9 (1) October 1, 2003; or

10 (2) the date of the enactment of this Act.

11 **TITLE XXVIII—GENERAL**
 12 **PROVISIONS**

13 **Subtitle A—Military Construction**
 14 **Program and Military Family**
 15 **Housing Changes**

16 **SEC. 2801. MODIFICATION OF GENERAL DEFINITIONS RE-**
 17 **LATING TO MILITARY CONSTRUCTION.**

18 (a) MILITARY CONSTRUCTION.—Subsection (a) of
 19 section 2801 of title 10, United States Code, is amended

1 by inserting before the period the following: “, whether
2 to satisfy temporary or permanent requirements”.

3 (b) **MILITARY INSTALLATION.**—Subsection (c)(2) of
4 such section is amended by inserting before the period the
5 following: “, without regard to the duration of operational
6 control”.

7 **SEC. 2802. INCREASE IN NUMBER OF FAMILY HOUSING**
8 **UNITS IN ITALY AUTHORIZED FOR LEASE BY**
9 **THE NAVY.**

10 Section 2828(e)(2) of title 10, United States Code,
11 is amended by striking “2,000” and inserting “2,800”.

12 **Subtitle B—Real Property and** 13 **Facilities Administration**

14 **SEC. 2811. INCREASE IN THRESHOLD FOR REPORTS TO**
15 **CONGRESS ON REAL PROPERTY TRANS-**
16 **ACTIONS.**

17 Section 2662 of title 10, United States Code, is
18 amended by striking “\$500,000” each place it appears
19 and inserting “\$750,000”.

20 **SEC. 2812. ACCEPTANCE OF IN-KIND CONSIDERATION FOR**
21 **EASEMENTS.**

22 (a) **EASEMENTS FOR RIGHTS-OF-WAY.**—Section
23 2668 of title 10, United States Code, is amended—

24 (1) by redesignating subsection (e) as sub-
25 section (f); and

1 (2) by inserting after subsection (d) the fol-
2 lowing new subsection (e):

3 “(e) Subsection (c) of section 2667 of this title shall
4 apply with respect to in-kind consideration received by the
5 Secretary of a military department in connection with an
6 easement granted under this section in the same manner
7 as such subsection applies to in-kind consideration re-
8 ceived pursuant to leases entered into by that Secretary
9 under such section.”.

10 (b) EASEMENTS FOR UTILITY LINES.—Section 2669
11 of such title is amended—

12 (1) by redesignating subsection (e) as sub-
13 section (f); and

14 (2) by inserting after subsection (d) the fol-
15 lowing new subsection (e):

16 “(e) Subsection (c) of section 2667 of this title shall
17 apply with respect to in-kind consideration received by the
18 Secretary of a military department in connection with an
19 easement granted under this section in the same manner
20 as such subsection applies to in-kind consideration re-
21 ceived pursuant to leases entered into by that Secretary
22 under such section.”.

1 **SEC. 2813. EXPANSION TO MILITARY UNACCOMPANIED**
 2 **HOUSING OF AUTHORITY TO TRANSFER**
 3 **PROPERTY AT MILITARY INSTALLATIONS TO**
 4 **BE CLOSED IN EXCHANGE FOR MILITARY**
 5 **HOUSING.**

6 Section 2905(f)(1) of the Defense Base Closure and
 7 Realignment Act of 1990 (part A of title XXIX of Public
 8 Law 101–510; 10 U.S.C. 2687 note) is amended—

9 (1) by inserting “unaccompanied members of
 10 the Armed Forces or” before “members of the
 11 Armed Forces and their dependents”; and

12 (2) by striking “FAMILY” in the subsection
 13 heading.

14 **SEC. 2814. EXEMPTION FROM SCREENING AND USE RE-**
 15 **QUIREMENTS UNDER MCKINNEY-VENTO**
 16 **HOMELESS ASSISTANCE ACT OF DEPART-**
 17 **MENT OF DEFENSE PROPERTY IN EMER-**
 18 **GENCY SUPPORT OF HOMELAND SECURITY.**

19 Section 501 of the McKinney-Vento Homeless Assist-
 20 ance Act (42 U.S.C. 11411) is amended—

21 (1) by redesignating subsection (i) as subsection
 22 (j); and

23 (2) by inserting after subsection (h) the fol-
 24 lowing new subsection (i):

25 “(i) APPLICABILITY TO DEPARTMENT OF DEFENSE
 26 PROPERTY IN EMERGENCY SUPPORT OF HOMELAND SE-

1 CURITY.—The provisions of this section shall not apply to
 2 a building or property under the jurisdiction of the De-
 3 partment of Defense that the Secretary of Defense deter-
 4 mines should be made available for use by a State or local
 5 government, or private entity, on a temporary basis, for
 6 emergency activities in support of homeland security.”.

7 **Subtitle C—Land Conveyances**

8 **SEC. 2821. TRANSFER OF LAND AT FORT CAMPBELL, KEN-** 9 **TUCKY AND TENNESSEE.**

10 (a) CONVEYANCE AUTHORIZED.—The Secretary of
 11 the Army may convey to the State of Tennessee, all right,
 12 title, and interest of the United States in and to a parcel
 13 of real property (right-of-way), including improvements
 14 thereon, located at Fort Campbell, Kentucky and Ten-
 15 nessee, for the purpose of realigning and upgrading
 16 United States Highway 79 from a 2-lane highway to a
 17 4-lane highway.

18 (b) CONSIDERATION.—

19 (1) PAYMENT.—As consideration for the con-
 20 veyance of the right-of-way parcel to be conveyed by
 21 subsection (a), the State of Tennessee shall pay
 22 from any source (including Federal funds made
 23 available to the State from the Highway Trust
 24 Fund) all of the Secretary’s costs associated with
 25 the following:

1 (A) COSTS OF CONVEYANCE.—The convey-
2 ance of the right-of-way parcel, including the
3 preparation of documents under the National
4 Environmental Policy Act of 1969 (42 U.S.C.
5 4321 et seq.), surveys (including surveys under
6 subsection (c)), appraisals, cultural reviews, ad-
7 ministrative expenses, cemetery relocation, and
8 other expenses necessary to transfer the prop-
9 erty.

10 (B) ACQUISITION OF REPLACEMENT
11 LAND.—The acquisition of approximately 200
12 acres of mission-essential replacement land re-
13 quired to support the training mission at Fort
14 Campbell.

15 (C) DISPOSAL OF RESIDUAL PROPERTY.—
16 The disposal of residual land located south of
17 the realigned highway.

18 (2) ACCEPTANCE AND CREDIT.—The Secretary
19 may accept funds under this subsection from the
20 Federal Highway Administration or the State of
21 Tennessee to pay the costs described in paragraph
22 (1) and shall credit the funds to the appropriate De-
23 partment of the Army accounts for the purpose of
24 paying such costs.

1 (3) PERIOD OF AVAILABILITY.—All funds ac-
 2 cepted by the Secretary under this subsection shall
 3 remain available until expended.

4 (c) DESCRIPTION OF PROPERTY.—The acreage of the
 5 real property to be conveyed, acquired, and disposed of
 6 under this section shall be determined by surveys satisfac-
 7 tory to the Secretary.

8 (d) ADDITIONAL TERMS AND CONDITIONS.—The
 9 Secretary may require such additional terms and condi-
 10 tions in connection with the conveyance under this section
 11 as the Secretary considers appropriate to protect the inter-
 12 ests of the United States.

13 **SEC. 2822. LAND CONVEYANCE, FORT KNOX, KENTUCKY.**

14 (a) CONVEYANCE AUTHORIZED.—The Secretary of
 15 the Army may convey, without consideration, to the De-
 16 partment of Veterans Affairs of the Commonwealth of
 17 Kentucky (in this section referred to as the “Depart-
 18 ment”), all right, title, and interest of the United States
 19 in and to a parcel of real property, including any improve-
 20 ments thereon, consisting of approximately 93 acres at
 21 Fort Knox, Kentucky, for the purpose of permitting the
 22 Department to establish and operate a State-run cemetery
 23 for veterans of the Armed Forces.

24 (b) REIMBURSEMENT FOR COSTS OF CONVEY-
 25 ANCE.—(1) The Department shall reimburse the Sec-

1 retary for any costs incurred by the Secretary in making
2 the conveyance authorized by subsection (a), including
3 costs related to environmental documentation and other
4 administrative costs. This paragraph does not apply to
5 costs associated with the environmental remediation of the
6 real property to be conveyed under such subsection.

7 (2) Any reimbursements received under paragraph
8 (1) for costs described in that paragraph shall be depos-
9 ited into the accounts from which the costs were paid, and
10 amounts so deposited shall be merged with amounts in
11 such accounts and available for the same purposes, and
12 subject to the same conditions and limitations, as the
13 amounts in such accounts with which merged.

14 (c) DESCRIPTION OF PROPERTY.—The exact acreage
15 and legal description of the real property to be conveyed
16 under subsection (a) shall be determined by a survey satis-
17 factory to the Secretary. The cost of the survey shall be
18 borne by the Department.

19 (d) ADDITIONAL TERMS AND CONDITIONS.—The
20 Secretary may require such additional terms and condi-
21 tions in connection with the conveyance under subsection
22 (a) as the Secretary considers appropriate to protect the
23 interests of the United States.

1 **SEC. 2823. LAND CONVEYANCE, MARINE CORPS LOGISTICS**

2 **BASE, ALBANY, GEORGIA.**

3 (a) CONVEYANCE AUTHORIZED.—The Secretary of
4 the Navy may convey through negotiated sale to the Pre-
5 ferred Development Group Corporation, a corporation in-
6 corporated in the State of Georgia and authorized to do
7 business in the State of Georgia (referred to in this section
8 as the “Corporation”), all right, title, and interest of the
9 United States in and to a parcel of real property, including
10 any improvements thereon, consisting of approximately
11 10.44 acres located at Boyett Village/Turner Field and
12 McAdams Road in Albany, Georgia, for the purpose of
13 permitting the Corporation to use the property for eco-
14 nomic development.

15 (b) CONDITIONS OF CONVEYANCE.—The conveyance
16 authorized under subsection (a) shall be subject to the fol-
17 lowing conditions:

18 (1) That the Corporation accept the real prop-
19 erty conveyed under subsection (a) as is.

20 (2) That the Corporation bear all costs related
21 to the use and redevelopment of the real property.

22 (c) CONSIDERATION.—As consideration for the con-
23 veyance authorized by subsection (a), the Corporation
24 shall pay the United States an amount, determined pursu-
25 ant to negotiations between the Secretary and the Cor-
26 poration and based upon the fair market value of the prop-

erty (as determined pursuant to an appraisal acceptable to the Secretary), that is appropriate for the property.

(d) REIMBURSEMENT FOR COSTS OF CONVEYANCE.—The Secretary may require the Corporation to reimburse the Secretary for any costs incurred by the Secretary in making the conveyance authorized by subsection (a).

(e) DEPOSIT OF AMOUNTS.—(1) The consideration received under subsection (c) shall be deposited in the Department of Defense Base Closure Account 1990 established by section 2906 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(2) Any reimbursements received under subsection (d) for costs described in that subsection shall be deposited into the accounts from which the costs were paid, and amounts so deposited shall be merged with amounts in such accounts and available for the same purposes, and subject to the same conditions and limitations, as the amounts in such accounts with which merged.

(f) EXEMPTION.—The conveyance authorized by subsection (a) shall be exempt from the requirement in section 2696 of title 10, United States Code, to screen the property for further Federal use.

1 (g) DESCRIPTION OF PROPERTY.—The exact acreage
 2 and legal description of the real property to be conveyed
 3 under subsection (a) shall be determined by a survey satis-
 4 factory to the Secretary.

5 (h) ADDITIONAL TERMS AND CONDITIONS.—The
 6 Secretary may require such additional terms and condi-
 7 tions in connection with the conveyance under subsection
 8 (a) as the Secretary considers appropriate to protect the
 9 interests of the United States.

10 **SEC. 2824. LAND CONVEYANCE, AIR FORCE AND ARMY EX-**
 11 **CHANGE SERVICE PROPERTY, DALLAS,**
 12 **TEXAS.**

13 (a) CONVEYANCE AUTHORIZED.—The Secretary of
 14 Defense may authorize the Army and Air Force Exchange
 15 Service to convey through negotiated sale all right, title,
 16 and interest of the United States in and to a parcel of
 17 real property, including any improvements thereon, con-
 18 sisting of approximately 7.5 acres located at 1515 Round-
 19 table Drive in Dallas, Texas.

20 (b) CONSIDERATION.—As consideration for the con-
 21 veyance authorized by subsection (a), the purchaser shall
 22 pay the United States a single payment equal to the fair
 23 market value of the real property, as determined pursuant
 24 to an appraisal acceptable to the Secretary.

1 (c) DEPOSIT OF AMOUNTS.—Section 574 of title 40,
 2 United States Code, shall apply to the consideration re-
 3 ceived under subsection (b), except that in the application
 4 of such section, all of the proceeds shall be returned to
 5 the Army and Air Force Exchange Service.

6 (d) DESCRIPTION OF PROPERTY.—The exact acreage
 7 and legal description of the real property to be conveyed
 8 under subsection (a) shall be determined by a survey satis-
 9 factory to the Secretary. The cost of the survey shall be
 10 borne by the purchaser.

11 (e) ADDITIONAL TERMS AND CONDITIONS.—The
 12 Secretary may require such additional terms and condi-
 13 tions in connection with the conveyance under subsection
 14 (a) as the Secretary considers appropriate to protect the
 15 interests of the United States.

16 **Subtitle D—Review of Overseas** 17 **Military Facility Structure**

18 **SEC. 2841. SHORT TITLE.**

19 This subtitle may be cited as the “Overseas Military
 20 Facility and Range Structure Review Act of 2003”.

21 **SEC. 2842. ESTABLISHMENT OF COMMISSION.**

22 (a) ESTABLISHMENT.—There is established the Com-
 23 mission on the Review of the Overseas Military Facility
 24 and Range Structure of the United States (in this subtitle
 25 referred to as the “Commission”).

1 (b) MEMBERSHIP.—(1) The Commission shall be
2 composed of 9 members of whom—

3 (A) one shall be appointed by the Secretary of
4 Defense;

5 (B) two shall be appointed by the Majority
6 Leader of the Senate, in consultation with the
7 Chairman of the Committee on Armed Services of
8 the Senate and the Chairman of the Subcommittee
9 on Defense of the Committee on Appropriations of
10 the Senate;

11 (C) two shall be appointed by the Minority
12 Leader of the Senate, in consultation with the Rank-
13 ing Member of the Committee on Armed Services of
14 the Senate and the Ranking Member of the Sub-
15 committee on Defense of the Committee on Appro-
16 priations of the Senate;

17 (D) two shall be appointed by the Speaker of
18 the House of Representatives, in consultation with
19 the Chairman of the Committee on Armed Services
20 of the House of Representatives and the Chairman
21 of the Subcommittee on Defense of the Committee
22 on Appropriations of the House of Representatives;
23 and

24 (E) two shall be appointed by the Minority
25 Leader of the House of Representatives, in consulta-

1 tion with the Ranking Member of the Committee on
2 Armed Services of the House of Representatives and
3 the Ranking Member of the Subcommittee on De-
4 fense of the Committee on Appropriations of the
5 House of Representatives.

6 (2) Individuals appointed to the Commission shall
7 have significant experience in the national security or for-
8 eign policy of the United States.

9 (3) Appointments of the members of the Commission
10 shall be made not later than 45 days after the date of
11 the enactment of this Act.

12 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
13 bers shall be appointed for the life of the Commission. Any
14 vacancy in the Commission shall not affect its powers, but
15 shall be filled in the same manner as the original appoint-
16 ment.

17 (d) INITIAL MEETING.—Not later than 30 days after
18 the date on which all members of the Commission have
19 been appointed, the Commission shall hold its first meet-
20 ing.

21 (e) MEETINGS.—The Commission shall meet at the
22 call of the Chairman.

23 (f) QUORUM.—A majority of the members of the
24 Commission shall constitute a quorum, but a lesser num-
25 ber of members may hold hearings.

1 (g) CHAIRMAN AND VICE CHAIRMAN.—The Commis-
2 sion shall select a Chairman and Vice Chairman from
3 among its members.

4 **SEC. 2843. DUTIES OF COMMISSION.**

5 (a) STUDY.—The Commission shall conduct a thor-
6 ough study of matters relating to the military facility and
7 range structure of the United States overseas.

8 (b) MATTERS TO BE STUDIED.—In conducting the
9 study, the Commission shall—

10 (1) assess the number of military personnel of
11 the United States required to be based outside the
12 United States;

13 (2) examine the current state of the military fa-
14 cilities and training ranges of the United States
15 overseas for all permanent stations and deployed lo-
16 cations, including the condition of land and improve-
17 ments at such facilities and ranges and the avail-
18 ability of additional land, if required, for such facili-
19 ties and ranges;

20 (3) identify the amounts received by the United
21 States, whether in direct payments, in-kind contribu-
22 tions, or otherwise, from foreign countries by reason
23 of military facilities of the United States overseas;

24 (4) assess whether or not the current military
25 basing and training range structure of the United

1 States overseas is adequate to meet the current and
2 future mission of the Department of Defense, in-
3 cluding contingency, mobilization, and future force
4 requirements;

5 (5) assess the feasibility and advisability of the
6 closure or realignment of military facilities of the
7 United States overseas, or the establishment of new
8 military facilities of the United States overseas, to
9 meet the requirements of the Department of Defense
10 to provide for the national security of the United
11 States; and

12 (6) consider or assess any other issue relating
13 to military facilities and ranges of the United States
14 overseas that the Commission considers appropriate.

15 (c) REPORT.—(1) Not later than August 30, 2004,
16 the Commission shall submit to the President and Con-
17 gress a report which shall contain a detailed statement of
18 the findings and conclusions of the Commission, together
19 with its recommendations for such legislation and admin-
20 istrative actions as it considers appropriate.

21 (2) In addition to the matters specified in paragraph
22 (1), the report shall also include a proposal by the Com-
23 mission for an overseas basing strategy for the Depart-
24 ment of Defense in order to meet the current and future
25 mission of the Department.

1 **SEC. 2844. POWERS OF COMMISSION.**

2 (a) HEARINGS.—The Commission may hold such
3 hearings, sit and act at such times and places, take such
4 testimony, and receive such evidence as the Commission
5 considers advisable to carry out this subtitle.

6 (b) INFORMATION FROM FEDERAL AGENCIES.—The
7 Commission may secure directly from any Federal depart-
8 ment or agency such information as the Commission con-
9 siderers necessary to carry out this subtitle. Upon request
10 of the Chairman of the Commission, the head of such de-
11 partment or agency shall furnish such information to the
12 Commission.

13 (c) ADMINISTRATIVE SUPPORT SERVICES.—Upon re-
14 quest of the Commission, the Administrator of General
15 Services shall provide to the Commission, on a reimburs-
16 able basis, the administrative support necessary for the
17 Commission to carry out its duties under this subtitle.

18 (d) POSTAL SERVICES.—The Commission may use
19 the United States mails in the same manner and under
20 the same conditions as other departments and agencies of
21 the Federal Government.

22 (e) GIFTS.—The Commission may accept, use, and
23 dispose of gifts or donations of services or property.

24 **SEC. 2845. COMMISSION PERSONNEL MATTERS.**

25 (a) COMPENSATION OF MEMBERS.—Each member of
26 the Commission who is not an officer or employee of the

1 Federal Government shall be compensated at a rate equal
2 to the daily equivalent of the annual rate of basic pay pre-
3 scribed for level IV of the Executive Schedule under sec-
4 tion 5315 of title 5, United States Code, for each day (in-
5 cluding travel time) during which such member is engaged
6 in the performance of the duties of the Commission under
7 this subtitle. All members of the Commission who are offi-
8 cers or employees of the United States shall serve without
9 compensation in addition to that received for their services
10 as officers or employees of the United States.

11 (b) TRAVEL.—(1) Members of the Commission shall
12 be allowed travel expenses, including per diem in lieu of
13 subsistence, at rates authorized for employees of agencies
14 under subchapter I of chapter 57 of title 5, United States
15 Code, while away from their homes or regular places of
16 business in the performance of services for the Commis-
17 sion under this subtitle.

18 (2) Members and staff of the Commission may receive
19 transportation on aircraft of the Military Airlift Command
20 to and from the United States, and overseas, for purposes
21 of the performance of the duties of the Commission to the
22 extent that such transportation will not interfere with the
23 requirements of military operations.

24 (c) STAFF.—(1) The Chairman of the Commission
25 may, without regard to the civil service laws and regula-

1 tions, appoint and terminate an executive director and
2 such other additional personnel as may be necessary to
3 enable the Commission to perform its duties under this
4 subtitle. The employment of an executive director shall be
5 subject to confirmation by the Commission.

6 (2) The Commission may employ a staff to assist the
7 Commission in carrying out its duties. The total number
8 of the staff of the Commission, including an executive di-
9 rector under paragraph (1), may not exceed 12.

10 (3) The Chairman of the Commission may fix the
11 compensation of the executive director and other personnel
12 without regard to chapter 51 and subchapter III of chap-
13 ter 53 of title 5, United States Code, relating to classifica-
14 tion of positions and General Schedule pay rates, except
15 that the rate of pay for the executive director and other
16 personnel may not exceed the rate payable for level V of
17 the Executive Schedule under section 5316 of such title.

18 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
19 employee of the Department of Defense, the Department
20 of State, or the General Accounting Office may be detailed
21 to the Commission without reimbursement, and such de-
22 tail shall be without interruption or loss of civil service
23 status or privilege.

24 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
25 TENT SERVICES.—The Chairman of the Commission may

1 procure temporary and intermittent services under section
2 3109(b) of title 5, United States Code, at rates for individ-
3 uals which do not exceed the daily equivalent of the annual
4 rate of basic pay prescribed for level V of the Executive
5 Schedule under section 5316 of such title.

6 **SEC. 2846. SECURITY.**

7 (a) SECURITY CLEARANCES.—Members and staff of
8 the Commission, and any experts and consultants to the
9 Commission, shall possess security clearances appropriate
10 for their duties with the Commission under this subtitle.

11 (b) IN GENERAL.—The Secretary of Defense shall as-
12 sume responsibility for the handling and disposition of any
13 information relating to the national security of the United
14 States that is received, considered, or used by the Commis-
15 sion under this subtitle.

16 **SEC. 2847. TERMINATION OF COMMISSION.**

17 The Commission shall terminate 45 days after the
18 date on which the Commission submits its report under
19 section 2843(c).

20 **SEC. 2848. FUNDING.**

21 (a) IN GENERAL.—Of the amount authorized to be
22 appropriated by section 301(5) for the Department of De-
23 fense for operation and maintenance, Defense-wide,
24 \$3,000,000 shall be available to the Commission to carry
25 out this subtitle.

1 (b) AVAILABILITY.—The amount authorized to be ap-
2 propriated by subsection (a) shall remain available, with-
3 out fiscal year limitation, until September 30, 2005.

Calendar No. 94

108TH CONGRESS
1ST SESSION

S. 1048

A BILL

To authorize appropriations for fiscal year 2004 for
military construction, and for other purposes.

MAY 13, 2003

Read twice and placed on the calendar